

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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03-MDL-1570 (GBD)(SN)

In Re:

TERROR ATTACKS ON  
SEPTEMBER 11, 2001

**IRAN NOTICE  
OF AMENDMENT**

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This document relates to:

*Ashton, et al. v. al Qaeda Islamic Army, et al.*, Case No. 02-cv-6977 (GBD)(SN)  
*Bauer, et al. v. al Qaeda Islamic Army, et al.*, Case No. 02-cv-7236 (GBD)(SN)

Plaintiffs file this Notice of Amendment with respect to the underlying Complaint in the above-referenced matter, ECF No. 3237, as permitted and approved by the Court's Order of July 10, 2018, ECF No. 4045. Upon the filing of this Notice of Amendment, the underlying Complaint is deemed amended to add the individual(s) listed below (the "New Plaintiff(s)") as plaintiff(s) raising claims against the Islamic Republic of Iran. The underlying Complaint is deemed amended to include the allegations, as indicated below, of (a) the Federal Insurance and Ashton Plaintiffs' Amended Consolidated Complaint Against Defendant, the Islamic Republic of Iran, ECF No. 3237, or (b) the Amended Complaint, Burnett v. Islamic Republic of Iran, No. 15-CV-9903 (GBD)(SN) (S.D.N.Y. Feb. 8, 2016), ECF No. 53. The amendment effected through this Notice of Amendment supplements by incorporation into, but does not displace, the underlying Complaint. This Notice of Amendment relates solely to the Islamic Republic of Iran and does not apply to any other defendant.

Upon filing this Iran Notice of Amendment, each New Plaintiff is deemed to have adopted all factual and jurisdictional allegations of the complaint that has been joined as specified below; all causes of action contained within that complaint; all prior filings in

connection with that complaint; and all prior Orders and rulings of the Court in connection with that complaint.

Additionally, each New Plaintiff incorporates the factual allegations and findings contained in those pleadings and orders filed at Havlish v. Bin Laden, No. 1:03-CV-9848 (GBD)(SN) (S.D.N.Y.), ECF Nos. 263, 294, 295; In re Terrorist Attacks on September 11, 2001, 03-MDL-1570 (GBD)(SN) (S.D.N.Y.), ECF Nos. 2430, 2431, 2432, 2433, 2473, 2515, 2516; and evidence submitted at the proceedings before the Honorable George B. Daniels on December 15, 2011 (ECF No. 2540).

### **CAUSES OF ACTION**

Each New Plaintiff hereby adopts and incorporates herein by reference all factual allegations, jurisdictional allegations, and jury trial demand, including all causes of action against Iran, as set forth in the following complaint [**check only one complaint**]:

- Federal Insurance and Ashton Plaintiffs' Amended Consolidated Complaint Against Defendant, the Islamic Republic of Iran, ECF No. 3237
- Amended Complaint, Burnett v. Islamic Republic of Iran, No. 15-CV-9903 (GBD)(SN) (S.D.N.Y. Feb. 8, 2016), ECF No. 53

## IDENTIFICATION OF NEW PLAINTIFFS

Each New Plaintiff is or was a survivor of a person who died due to the terrorist attacks of September 11, 2001. For each New Plaintiff, the following chart lists the New Plaintiff's name, the New Plaintiff's residency and nationality, the name of the New Plaintiff's deceased family member, the New Plaintiff's relationship to the decedent, and the paragraph(s) of the underlying Complaint discussing the decedent and/or the decedent's estate.

	New Plaintiff's Name (alphabetical by last name)	New Plaintiff's State of Residency at Filing (or death)	New Plaintiff's Citizenship/ Nationality on 9/11/2001	9/11 Decedent's Name	New Plaintiff's Relationship to 9/11 Decedent	Paragraphs of Complaint Discussing 9/11 Decedent
1	Brennan, John O.	New York	U.S. Citizen	Thomas M. Brennan, Sr.	Brother	<i>Bauer</i> action <sup>1</sup> Paragraph 45
2	Brennan, John V.	Florida	U.S. Citizen	Thomas M. Brennan, Sr.	Father	<i>Bauer</i> action Paragraph 45
3	Brennan, Michael	New York	U.S. Citizen	Thomas M. Brennan, Sr.	Brother	<i>Bauer</i> action Paragraph 45
4	Brennan, Paul	New York	U.S. Citizen	Thomas M. Brennan, Sr.	Brother	<i>Bauer</i> action Paragraph 45
5	Brennan, Jr., Thomas M.	New York	U.S. Citizen	Thomas M. Brennan, Sr.	Son	<i>Bauer</i> action Paragraph 45
6	Brennan Waterhouse, Jennifer	New York	U.S. Citizen	Thomas M. Brennan, Sr.	Wife	<i>Bauer</i> action Paragraph 45
7	Bustillo, Alessandra	New York	U.S. Citizen	Milton Bustillo	Daughter	<i>Bauer</i> action Paragraph 29
8	Bustillo, Dissa	New Jersey	U.S. Citizen	Milton Bustillo	Sister	<i>Bauer</i> action Paragraph 29
9	Bustillo, Sr., Est. of Gilberto	Venezuela	Colombian Citizen	Milton Bustillo	Father	<i>Bauer</i> action Paragraph 29
10	Bustillo, Jr. Gilberto	New Jersey	U.S. Citizen	Milton Bustillo	Brother	<i>Bauer</i> action Paragraph 29
11	Bustillo, Henry	New Jersey	U.S. Citizen	Milton Bustillo	Brother	<i>Bauer</i> action Paragraph 29
12	Bustillo, Mirna	Florida	U.S. Citizen	Milton Bustillo	Sister	<i>Bauer</i> action Paragraph 29

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<sup>1</sup> *Bauer, et al. v. al Qaeda Islamic Army, et al.*, Case No. 02-cv-7236 (GBD)(SN), herein referred to as *Bauer* action, was consolidated into the *Ashton* action in the *Ashton* First Amended Consolidated Master Complaint filed on 08/01/2003, ECF No. 32.

13	Butler, Sasha	New Jersey	U.S. Citizen	Michael Tanner	Daughter	<i>Bauer action Paragraph 25</i>
14	Candela, Elizabeth	New Jersey	U.S. Citizen	John Anthony Candela	Wife	<i>Bauer action Paragraph 9</i>
15	Candela, John Arthur	New Jersey	U.S. Citizen	John Anthony Candela	Son	<i>Bauer action Paragraph 9</i>
16	Candela, Est. of John C.	New Jersey	U.S. Citizen	John Anthony Candela	Father	<i>Bauer action Paragraph 9</i>
17	Candela, Joseph G.	New Jersey	U.S. Citizen	John Anthony Candela	Brother	<i>Bauer action Paragraph 9</i>
18	Candela, Juliette	New Jersey	U.S. Citizen	John Anthony Candela	Daughter	<i>Bauer action Paragraph 9</i>
19	Candela, Est. of Phyllis	New Jersey	U.S. Citizen	John Anthony Candela	Mother	<i>Bauer action Paragraph 9</i>
20	Carlino, Est. Marie	New York	U.S. Citizen	Edward Carlino	Wife	<i>Bauer action Paragraph 26</i>
21	Carlino, Mary	New York	U.S. Citizen	Edward Carlino	Mother	<i>Bauer action Paragraph 26</i>
22	Carlino, Salvatore	New York	U.S. Citizen	Edward Carlino	Father	<i>Bauer action Paragraph 26</i>
23	Cunningham, Andrew	United Kingdom	United Kingdom	Cunningham, Michael J.	Brother	<i>Bauer action Paragraph 50</i>
24	Cunningham, Julieanne	United Kingdom	United Kingdom	Cunningham, Michael J.	Sister	<i>Bauer action Paragraph 50</i>

Dated: December 2, 2021

Respectfully submitted,

BAUMEISTER & SAMUELS, P.C.

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